

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLIFFORD SLIGHTOM,

Plaintiff,

v.

NATIONAL MAINTENANCE  
& REPAIR, INC.,

Defendant.

Case No. 09-cv-683-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on its own initiative for purposes of case management.

On September 8, 2009, Defendant National Maintenance & Repair, Inc. ("National Maintenance") filed a Response (Doc. 13) to Plaintiff Clifford Slightom's state court motion to strike. The motion to strike was in response to National Maintenance's state court motion to dismiss on grounds of Illinois' alleged lack of subject matter jurisdiction. Although the Notice of Removal (Doc. 5) included the state court motions as part of an exhibit, National Maintenance failed to recognize that, when a party removes a case, its notice of removal need only contain a "copy of all *process, pleadings, and orders*" with which it has been served. 28 U.S.C. § 1446(a) (2006) (emphasis added). Typically, "pleadings" only includes the complaint, answer, and any amendments thereof. *See* Fed. R. Civ. P. 7(a). Should the Court want any other documents from the circuit court to be filed in this case, it has the authority to request them. *See* § 1447(b).

Accordingly, the Court **STRIKES** National Maintenance's Response (Doc. 13) to Slightom's state court motion. If National Maintenance wishes to re-file its motion to dismiss, it should do so in this Court. Slightom may thereafter file his motion if he so desires.

**IT IS SO ORDERED.**

**DATED: December 7, 2009**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**